

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire  
KML Law Group, P.C.  
216 Haddon Avenue, Suite 406  
Westmont, NJ 08108  
Main Phone: 609-250-0700  
dcarlon@kmlawgroup.com  
Attorneys for Secured Creditor  
Bayview Loan Servicing, LLC as servicer for The Bank  
of New York Mellon FKA The Bank of New York as  
Trustee for the Certificateholders of CWalt, INC.,  
Alternative Loan Trust 2004-14T2, Mortgage Pass-  
Through Certificates Series 2004-14T2

In Re:  
Shamsun N. Helaly, Mian Helaly  
  
Debtors.



Order Filed on January 24, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 18-24293 KCF

Adv. No.:

Hearing Date: 1/9/19 @ 9:00 a.m..

Judge: Katherine C. Ferguson

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby  
**ORDERED.**

**DATED: January 24, 2019**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

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Debtor: Shamsun N. Helaly, Mian Helaly

Case No: 18-24293 KCF

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Bayview Loan Servicing, LLC as servicer for The Bank of New York Mellon FKA The Bank of New York as Trustee for the Certificateholders of CWalt, INC., Alternative Loan Trust 2004-14T2, Mortgage Pass-Through Certificates Series 2004-14T2, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 86 Wild Azalea Lane, Montgomery, NJ, 08558, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Robert C. Nisenson, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of December 18, 2018, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due August 2018 through December 2018 for a total post-petition default of \$31,251.42 (3 @ \$5,405.94, 2 @ \$7,516.80); and

It is further **ORDERED, ADJUDGED and DECREED** that Debtor shall make an immediate payment of \$8,400.00; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$22,851.42 will be paid over six months by Debtor remitting \$3,808.57 per month, which additional payments shall begin on January 1, 2019 until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that the Debtor reserves the right to object to the notice of payment change filed in this case; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume January 1, 2019, directly to Secured Creditor's servicer, Bayview Loan Servicing, LLC, ATT: Cashier Dept, 4425 Ponce de Leon Blvd, 5<sup>th</sup> Floor, Coral Gables, FL 33146 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

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Debtor: Shamsun N. Helaly, Mian Helaly

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It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Shamsun N Helaly  
Debtor

Case No. 18-24293-KCF  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jan 25, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 27, 2019.

db +Shamsun N Helaly, 86 Wild Azalea Lane, Skillman, NJ 08558-2422

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 27, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 25, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Charles G. Wohlrab on behalf of Creditor The Bank of New York Mellon fka The Bank of New York, as Trustee (CWALT2004-14T2) cwohlrab@logs.com, njbankruptcynotifications@logs.com

Denise E. Carlon on behalf of Creditor Bayview Loan Servicing, LLC as servicer for The Bank of New York Mellon FKA The Bank of New York as Trustee for the Certificateholders of CWalt, INC., Alternative Loan Trust 2004-14T2, Mortgage Pass-T dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Kevin Gordon McDonald on behalf of Creditor The Bank of New York Mellon fka The Bank of New York, as Trustee (CWALT2004-14T2) kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

Robert C. Nisenson on behalf of Debtor Shamsun N Helaly rnisenon@aol.com, nisensonlaw@aol.com;g2729@notify.cincompass.com;nisenonrr70983@notify.bestcase.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6